

ORDINANCE 1520

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NBMC 9.25.020 RELATING TO OPENING OR CONSUMING LIQUOR OR POSSESSING OPEN CONTAINERS OF LIQUOR IN PUBLIC PLACES; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council desires to amend NBMC 9.25.020 to allow for the service of beer and/or wine in public places holding special events if a special events permit has been approved by the City allowing for such service;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. NBMC 9.25.020, Amended: North Bend Municipal Code Section 9.25.020 (Alcoholic beverage control – Opening or consuming liquor or possession open container of liquor in public place) is hereby amended to read as follows:

Except as provided by RCW Title 66, any person who possesses an open container of liquor in a public place is guilty of a misdemeanor and shall be fined not more than \$100.00; provided, however, that:

A. This provision shall not apply to containers kept in the trunk of a vehicle or in an area of the vehicle not normally occupied by the driver or passengers. A utility compartment or glove compartment is deemed to be within the area occupied by the driver and passengers; and

B. Beer and/or wine may be allowed to be served as part of an organized event pursuant to an approved special events permit pursuant to NBMC Chapter 5.20. Such special events permit must be approved by the City Administrator, and shall include conditions authorizing such alcoholic beverages to be served only by a responsible business or organization within the enclosed area, subject to such additional conditions as may be prescribed by the City Administrator. The special events permit shall further include a condition requiring compliance with all regulations of the Liquor Control Board. Violation of this sub-section (B) shall be a misdemeanor.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 1ST DAY OF APRIL, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: April 9, 2014
Effective: April 14, 2014

Susie Oppedal, City Clerk